

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
AT NASHVILLE**

## **AGREED ORDER ADMINISTRATIVELY STAYING CASE**

Plaintiffs John Does #1-8 bring an action alleging that Defendants, Governor William Lee and TBI Director David Rausch, violate their constitutional right against ex post facto punishment through retroactive application to them of the provisions of Tennessee's Sexual and Violent Sexual Offender Registration, Verification, and Tracking Act of 2004 ("SORVTA"), Tenn. Code Ann. §§ 40-39-201 to -218. Plaintiffs seek declaratory and injunctive relief against Defendants and wish to proceed as representatives of a class of similarly situated offenders.

Before the Court is the Parties’ “Joint Motion to Administratively Stay Case Pending Ruling in Sixth Circuit Appeal” (D.E. ##, “Motion to Stay”). Also pending are Plaintiffs’ Motion to Proceed Under Pseudonyms and for Protective Order, Motion for Class Certification, and Motion for Preliminary Injunction.

Defendants maintain that SORVTA does not violate the Ex Post Facto Clause, and they have appealed the grant of a permanent injunction in another case that involves the same or substantially similar legal issues as those central to this case. *See Does #1-9 v. Lee*, No. 3:21-cv-00590 (M.D. Tenn.), D.E. 138, *appeal filed* No. 23-5248 (6th Cir.). Accordingly, the Parties jointly seek a stay of this case pending the Sixth Circuit's decision in *Does #1-9*.

"[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants." *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936). Considering the pending appeal in *Does #1-9* and the agreement of the Parties, the Motion to Stay is hereby GRANTED. The Court ORDERS that this case is STAYED pending further order of the Court. The Clerk is directed to administratively close the case while it is stayed. Within 30 days of the Sixth Circuit's mandate in *Does #1-9 v. Lee*, Case No. 23-5248, the Parties shall notify the Court of the decision and update the Court as to the status of this case. Defendants' time to respond to the Complaint and to Plaintiffs' pending motions is suspended, and new deadlines shall be set when the stay is lifted, and this case is reopened.

It is so ORDERED.



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ALETA A. TRAUGER  
United States District Judge

AGREED FOR ENTRY:

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